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REMARKS

This is in response to the Office Action mailed March 6, 2006. The remarks presented herein are believed to be fully responsive to the recent Office Action, which was designated a "final rejection." Reconsideration is requested.

Disposition of Claims.

Claims 1-6, 11-14, 18-29, 34 and 35 were pending in the application. Claims 1-6, 11-14, 18-29, 33 and 34 remain pending in the application. Claim 28 is amended to correct an error in its dependency because it was not previously dependent on a method claim. This amendment does not raise new issues or require further examination.

Claim Rejection – 35 U.S.C. § 103(a).

Claims 1-6, 11-14, 18-29, 34 and 35 were rejected under 35 U.S.C. § 102 as being anticipated by United States Patent 5,124,554 issued to Fowler ("Fowler") in view of United States Patent 4,244,672 issued to Lund ("Lund") in view of United States Patent 5,868,238 issued to Bonnet ("Bonnet") in view of United States Patent 5,171,120 issued to Bernard ("Bernard"). Fowler is the United States Patent corresponding to the Fowler U.K. Patent Application 2,242,520 applied in the prior Office Action dated October 11, 2005. Because there is no motivation to combine these disparate references and the prior art fails to disclose, teach, or suggest every element arranged in the same manner as in the rejected claims, the rejection is traversed. It is submitted that, even if the interpretation set forth in the present Office Action is adopted, neither Fowler alone, nor the combination of Fowler, Lund, Bonnet, and Bernard, discloses, teaches, or suggests the invention as defined in independent claims 1, 14, and 22.

The Office Action takes the position that it would have been obvious to a person of ordinary skill in the art to modify the apparatus of Fowler to include a buffer downstream of each bag screen device and a pair of diverters at each buffer so that bags that fail a first inspection and are sent to a secondary bag screening area could be slowed down to be examined more closely and then diverted to either a cleared bag conveyor or an uncleared bag conveyor. However, it is

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submitted that what is interpreted in the Office Action as a screen device (16a-c) in Lund is merely an induction subsystem, not a screen device. It is further submitted that Lund does not disclose a buffer downstream of a screen device because Lund does not disclose a screen device. Therefore, it is submitted that there is no motivation to modify Fowler according to Lund in the manner suggested in the Office Action.

Even if Fowler is amended according to Lund, there is no teaching of a buffer downstream of the bag screen device from which bags can be examined by an operator and then diverted onto one of two conveyors. Rather, Lund discloses a recirculation buffer system (10) that acts as temporary storage for packages, where the recirculation buffer system (10) is fed by a diverting gate (70) and is emptied by another diverting gate (24). Lund does not disclose a buffer that provides opportunity for inspections or other operations to be conducted while packages are in the buffer region.

Further, any attempt to modify Fowler by Lund would render Fowler inoperable. In Fowler, conveyor 8 delivers bags which fail initial inspection to "a designated location where they can be examined more closely" (Col. 3, lines 45-47). Even if a skilled artisan were to add the Lund buffer (10) and diverting gates (70, 24) to Fowler with respect to each bag screen device, each diverting gate (70, 24) would only be capable of diverting packages onto or off of the recirculation buffer system (10). That is, diverting gate (70) is only capable of diverting packages onto the recirculation buffer (10) from the primary transport conveyor (18), and diverting gate (24) is only capable of diverting packages off of the recirculation buffer (10) and onto the secondary transport (12), or leaving the packages on the recirculation buffer (10). Applying Lund to Fowler in the manner suggested in the Office Action, therefore, would result in bags not cleared by a first screening device reaching a buffer in a secondary screening area and either being circulated on the buffer indefinitely, or diverted onto a cleared bag conveyor. There would be neither a mechanism to divert a bag that is not cleared by the secondary screening function nor a conveyor for bags that failed secondary inspection.

The Office Action takes the position that this deficiency in Lund, as combined with Fowler, is cured by further combining with Bonnet and Bernard. Bonnet and Bernard disclose only a belt diverter and a warehousing system, respectively. Accordingly, neither Lund, Bonnet,

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nor Bernard teach a screening system or method much less a baggage screening system or method. It is submitted that there is no motivation in the art to combine the disparate teachings of Fowler with those of Lund, Bonnet, or Bernard. For this reason alone, the Examiner has failed to establish a prima facie case of obviousness.

It is further submitted that Bernard is not an enabling disclosure of a "cleared conveyor line for arranged objects, and an uncleared line for unarranged objects" or of "various conveyors . . . wherein arranged (cleared) objects ar[e] transported through one path while unarranged objects are transported through another (uncleared conveyor)," in the manner asserted in the Office Action. Specifically, no references to "arranged objects" or "unarranged objects" were found in United States Patent 5,171,120 to Bernard. Nor was there observed any reference to objects selectively placed on different conveyors based upon their status as arranged or unarranged. Furthermore, it is submitted that the Figures 12A and 12B in Bernard are not enabling because they do not create a cohesive figure. Specifically, nine conveyor lines are "broken" as they approach one edge of Figure 12A, to be continued on Figure 12B. However, only eight conveyor lines are "broken" as they approach the corresponding edge of Figure 12B. Therefore, it is impossible to trace the complete routing of objects through the embodiment of Figures 12A and 12B, rendering the embodiment illustrated in Figure 12 inoperative. It is therefore submitted that even if Bernard were to provide an enabling disclosure of arranged and unarranged objects being directed to separate conveyors, there is no motivation for a combination with Fowler and Lund because Bernard is not enabling as to diverters feeding a plurality of conveyors in a manner that can reasonably be combined with Lund. Further, such a combination would continue to lack a set of automated diverters that divert a given object from a secondary screening area to either a cleared object conveyor or an uncleared object conveyor.

Even if Fowler is combined with Lund, Bernard, and Bonnet in the manner described in the Office Action, the combination would not meet all of the claim elements. For example, the claim 1 element "another of said diverters downstream of the associated said buffer being adapted to divert a bag to either said cleared bag conveyor or said uncleared bag conveyor" is not disclosed, taught, or suggested.

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Accordingly, it is submitted that there is no motivation to combine the references and, even if combined, not all claim elements are met. In particular, the positively recited element of "wherein bags cleared by either said bag screen device or said secondary screening function can be diverted to said cleared bag conveyor," is not met. Accordingly, the rejection of claim 1 has been overcome. The rejection of independent screening module claim 14 and method claim 22, which correspond to claim 1, have therefore also been overcome. Withdrawal is requested.

With regard to claim 11, it is submitted that the Examiner has failed to make any reference to the prior art to support the Examiner's position that it would have been obvious to a person of ordinary skill in the art to modify Fowler "so that the secondary bag screening function used images of bags captured by screen device . . . so that the bags could be examined more closely so that hazardous materials or weapons could be found . . . [and] the secondary screening function could use x-rays as images taken from the initial screening." No prior art is cited in the Office Action for this proposition, and the embodiments disclosed in the present application cannot be considered as prior art to itself. Therefore, the Examiner has failed to meet every claim limitation and a prima facie case of obviousness is absent even apart from the patentability of claim 1 upon which claim 11 is dependent. Therefore, the rejection of claim 11 has been overcome. Withdrawal is requested.

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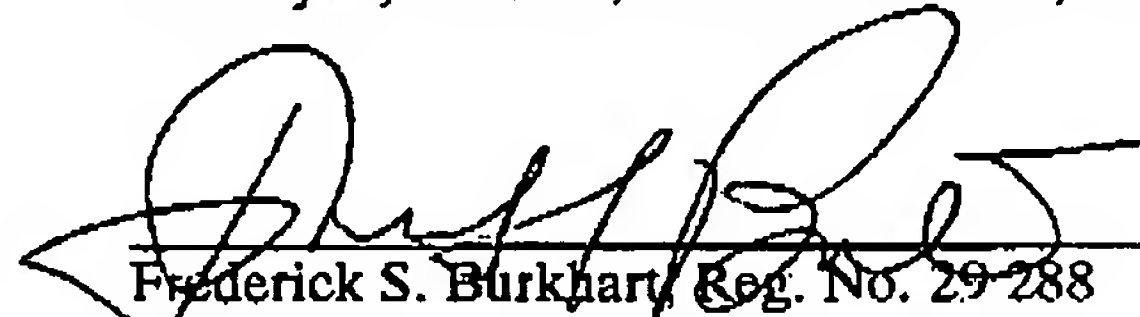
Issuance of a Notice of Allowance is earnestly solicited. If Examiner Matthews has any questions or reservations, it is requested that Examiner Matthews call the undersigned attorney.

Respectfully submitted,

HARRY T. EDWARDS

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